

To: "Mack, Karyllan Dodson" [Karyllan.Mack@klgates.com]
Cc: "Hyatt, Jr., William" [william.hyatt@klgates.com]
Bcc: []
From: CN=Sarah Flanagan/OU=R2/O=USEPA/C=US
Sent: Wed 7/18/2012 8:04:19 PM
Subject: Re: LPRSA RM 10.9 Trust Agreement
[K&L Gates LLP](#)
karyllan.mack@klgates.com
www.klgates.com
([embedded image](#))

Karyllan,

Thank you for the information about the Trust Agreement. The document looks good.

Under the circumstances, i.e., that the signature pages have all been collected (or will have been collected by the end of the day) and you are just waiting for US Bank to complete due diligence under the Patriot Act so it can sign, I think the Settling Parties have met the intent of the AOC provision requiring financial assurance to be established within 30 days. On the other hand, I would not like the bank to relax, thinking that the pressure is off. Please keep me posted about US Bank's process, particularly if you think there is any possibility they won't be able to sign tomorrow.

Thanks,
-Sarah

Sarah P. Flanagan
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From: "Mack, Karyllan Dodson" <Karyllan.Mack@klgates.com>
To: Sarah Flanagan/R2/USEPA/US@EPA
Cc: "Hyatt, Jr., William" <william.hyatt@klgates.com>
Date: 07/18/2012 03:44 PM
Subject: LPRSA

Sarah,

As we discussed, we have collected 69 of the 70 RM 10.9 Trust Fund Agreement signature pages. I have been promised the 70th will arrive at any moment. However, even if we receive the final signature page this afternoon, US Bank will not be able to sign today since they have to perform their due diligence under

the Patriot Act. Hopefully, this can get wrapped up tomorrow. I can send you the current package we have compiled or wait until it is complete. Please let me know your preference.

Also, attached is the current draft of the Trust Agreement, which incorporates a comment from US Bank and includes the Appendices.

Thanks,
Karyllan

Karyllan Dodson Mack
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[attachment "NW-#410455-v1-July_2012_Trust_Agreement.DOC" deleted by Sarah Flanagan/R2/USEPA/US]